

ORDINANCE NO. 1102

AN ORDINANCE OF THE CITY OF LODI ESTABLISHING
PROCEDURES FOR FINDINGS AT HEARINGS.

The City Council of the City of Lodi ordains as follows :

Section 1. FINDINGS OF FACT. In proceedings where findings of fact are required, the hearing body shall make its findings in writing, if a written request is filed by any interested person with the hearing body within 10 days of its decision.

Section 2. PREPARATION AND ADOPTION. Where findings are requested, they shall be prepared within 15 days of the date of receipt of the request. Thereafter, the hearing body shall adopt findings, which set forth its conclusions on facts material to its decision, at its next regular meeting or as soon thereafter as is practicable, but, in any event, within 60 days after expiration of the preparation period. Proposed findings may be submitted by the prevailing party, who shall be notified in writing of the request for findings. Proposed counter-findings may be submitted by any interested person. Those persons who were present and spoke at the hearing shall be notified of the request for findings.


Section 3. FINDINGS NOT REQUESTED. Where findings are not requested, they shall be deemed waived. It shall thereafter be presumed that all findings which are necessary to sustain the hearing body's decision were made by ~~that~~ body. Such presumption shall be applicable to Court proceedings.

Section 4. HEARING BODY - DEFINED. For purposes of this section, the term "hearing body" shall include a one-person hearing officer.

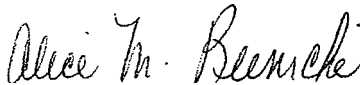
Section 5. APPEAL PERIOD NOT EXTENDED. Nothing contained herein shall be deemed to extend the appeal periods established for hearings that are set forth elsewhere in the Code of the City of Lodi.

Section 6. This Ordinance shall be published once in the Lodi News Sentinel, a newspaper of general circulation, printed and published in the City of Lodi and shall be effective upon the expiration of 30 days from the date of its adoption.

Approved this 6th day of April 1977



WALTER J. KATNICH
Mayor



Attest: ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi do hereby certify that Ordinance No. 1102 was introduced at a regular

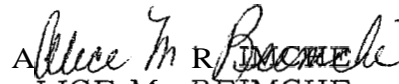
meeting of the City Council of the City of Lodi held March 16, 1977 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 6, 1977 by the following vote:

Ayes: Councilmen - EHRHARDT, HUGHES, KATZAEKIAN,
PINKERTON and KATNICH

Noes: Councilmen - None

Absent: Councilmen - None

I further certify that Ordinance No. 1102 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


LICE M. REIMCHE
City Clerk